

**MAY 19 2003**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON  
U.S. COURT OF APPEALS**

STUART ABRAMS AND ABRAMS, INC.,  
et al.,

Plaintiffs - Appellants,

v.

GENERAL STAR INDEMNITY  
COMPANY,

Defendant - Appellee.

No. 00-35872

D.C. No. CV-99-00769-DCA

ORDER

Appeal from the United States District Court  
for the District of Oregon  
Donald C. Ashmanskas, Magistrate Judge, Presiding

Argued and Submitted May 10, 2002  
Submission Deferred June 27, 2002  
Resubmitted May 13, 2003  
Portland, Oregon

Before: TROTT and T.G. NELSON, Circuit Judges, and RHOADES,\* District  
Judge.

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This disposition is not appropriate for publication and may not be  
cited to or by courts of this circuit except as may be provided by Ninth Circuit  
Rule 36-3.

\* The Honorable John S. Rhoades, Sr., Senior United States District  
Judge for the Southern District of California, sitting by designation.

The Oregon Supreme Court on May 1, 2003, answered the question we certified to it. *Abrams v. Gen. Star Indem. Co.*, 335 Or. 392, 2003 WL 1995723 (Or. 2003). For the reasons given by the Oregon Supreme Court, the judgment of the district court is REVERSED, and the case REMANDED for further proceedings.

The Petition for Rehearing, filed on June 13, 2002, is DENIED as moot.